

REMARKS

Claims 1-5 and 7-10 were pending before the examiner. The examiner has rejected all of the claims.

By this amendment, independent claims 1 and 7 have been modified to illustrate an aspect of the invention, namely, the connecting of the two remote computers by the processor computer after the authorization has been received.

In a related application, serial number 09/654,339, on July 23, 2003, a phone interview with the examiner was conducted. The subject of the interview was a proposed claim 1 for that application. The claim had been sent by FAX to the examiner the day before. The examiner pointed out that the proposed amendment to claim 1 raised 112 issues. Language to correct these 112 issues was discussed.

Enclosed with this Amendment are Terminal disclaimers (together with proper payment) relating to associated applications and issued patents. The Terminal Disclaimers are meant to expedite the examination process.

The specification and claims have been reviewed for typographical and grammatical errors. No further errors have been found.

The examiner has rejected claims 1-5 and 7-10 under 35 U.S.C. 103(a) citing the Communications Week article in view of Hall and common well accepted practice.

Note the changes made to the independent claims, namely the requirement that the connection of the customer computer to the merchant computer. Hall merely shows the placement of data at specific locations within a data stream:

“...Under a synchronous data link control (SDLC) protocol which has information frames and supervisory frames.....” (Abstract, lines 5-7)

The Communications week article is also completely silent on this point (connecting customer to merchant) and deals exclusively with collecting the information and then passing the authorize/not-authorized back to the merchant:

“... intermediaries take the credit card information, secure the authorization from the credit card issuer and

pass that verification along to the merchant.” (Page 2, lines 4-5)

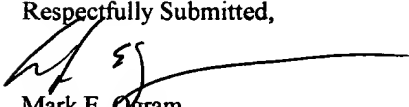
By relying on these references, the examiner is expecting “one of ordinary skill in the art” to make the currently claimed invention completely from “whole cloth”. There is no support nor any suggestion in these references to proceed as claimed in the present application.

It is respectfully submitted that claims 1-5 and 7-10, as now amended, are not taught or suggested by the Communications Week article, Hall, or accepted practice, whether taken singly or in any combination.

The references previously used or cited by the examiner have been reviewed and none of them are felt to cure the problems already noted above.

Based upon the above, it is respectfully submitted that claims 1-5 and 7-10, as now amended, are allowable and should be advanced to issuance.

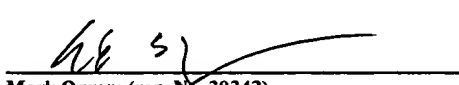
Respectfully Submitted,


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Date: July 30, 2003

CERTIFICATE OF MAILING (37 CFR 1.8)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 30, 2003.


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Date: July 30, 2003